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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,607	11/29/2001	Sadayuki Iwai	216468US2	2319

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EXAMINER

LEE, SUSAN SHUK YIN

ART UNIT PAPER NUMBER

2852

DATE MAILED: 03/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application

09/995,607

Applicant(s)

IWAI, SADAYUKI

Examiner

Susan S. Lee

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-- Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-62 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 61 is/are allowed.
- 6) ☒ Claim(s) 1-27, 29-31, 37, 39, 43-45, 49, 51, 52, 54-56, 59 and 62 is/are rejected.
- 7) ☒ Claim(s) 28, 32-36, 38, 40-42, 46-48, 50, 53, 57, 58 and 60 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 November 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892), 2 sheets. 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4. 6) ☐ Other: _____

DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the method selected from the group consisting of ink jet method, the toner jet method, the ion flow method, and the magentography method must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The abstract of the disclosure is objected to because "comprises", page 113, line 2, should be avoided in the abstract. Correction is required. See MPEP § 608.01(b).

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The

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disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Objections

Claim 60 is objected to because of the following informalities:

As to claim 60, line 3, "an further" should be -- a further --.

As to claim 60, line 3, "said other image" should be -- said another image--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2-27, 29-31, 37, 39, 43-45, 49, and 54-56 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to claim 2, line 2, "the image forming unit is of the electrophotography method" is unclear as this is method language in an apparatus claim. In addition, "the electrophotography method" lacks antecedent basis.

As to claim 2, line 6, what is "sectionicle"?

As to claim 5, line 2, "the image producing unit" lacks antecedent basis.

As to claim 8, line 2, "the image forming unit is of any method" is unclear as this is method language in an apparatus claim.

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As to claim 8, lines 3-4, "the ink jet method", "the toner jet method", "the ion flow method", and "the magnetography method" lack antecedent basis.

As to claim 9, line 1, "any of claims 1" is vague and unclear.

As to claim 11, lines 5-6, "said first transfer unit position" lacks antecedent basis.

As to claim 14, line 3, "the toner charge polarity" lacks antecedent basis.

As to claim 14, lines 5-6, "the first transfer unit installation position" lacks antecedent basis.

As to claim 14, lines 6-7, "the second transfer unit installation position" lacks antecedent basis.

As to claim 17, line 3, "the transfer step" lacks antecedent basis. In addition, it is unclear as this is method language in an apparatus claim.

As to claim 18, line 3, "the cold offset" lacks antecedent basis.

As to claim 20, line 4, "the image tip end" lacks antecedent basis.

As to claim 25, line 3, "the transfer belt method" lacks antecedent basis. In addition, it is unclear as this is method language in an apparatus claim.

As to claim 26, line 2, "a wet electrophotography method" is unclear as this is method language in an apparatus claim.

As to claim 29, line 2, "the image producing unit" lacks antecedent basis.

As to claim 34, lines 5-6, "said first transfer unit position" lacks antecedent basis.

As to claim 37, line 3, "the toner charge polarity" lacks antecedent basis.

As to claim 37, lines 5-6, "the first transfer unit installation position" lacks antecedent basis.

As to claim 37, lines 6-7, "the second transfer unit installation position" lacks antecedent basis.

As to claim 39, line 4, "the image tip end" lacks antecedent basis.

As to claim 43, line 2, "the conveyance speed" lacks antecedent basis.

As to claim 44, line 3, "the transfer belt method" lacks antecedent basis. In addition, it is unclear as this is method language in an apparatus claim.

As to claim 49, lines 5-6, "the first transfer unit installation position" lacks antecedent basis.

As to claim 49, line 6, "the second transfer unit installation position" lacks antecedent basis.

As to claim 54, line 3, "the transfer step" lacks antecedent basis. In addition, it is unclear as this is method language in an apparatus claim.

As to claim 62, line 15-17, "the time for reading both surfaces of manuscript of said image reading device set at the time for exposing the dual side images on the image supporting member or less" does not make sense. What is "or less" modifying?

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4, 9-11, 15, 22, 51, 52, 59, and 62 are rejected under 35 U.S.C. 102(b) as being anticipated by Holzhauser (4,593,995).

Holzhauser discloses a copier with a photoconductor 32 that reads on the instant invention's image supporting member, a first transfer station 42, a second transfer station 44, and a turnover drum 50 that reads on the instant invention's inverting unit. When duplex copy sheets are to be formed, copy sheets CS are fed from the lower supply 43 to a position alongside the photoconductor between developing station 40 and the first image transfer station 42 so a developed image from one side of the document sheet is transferred to one side of the copy sheet. Then the copy sheet is transported with the photoconductor to a turnover drum 50 where the drum picks up the copy sheet and moves it initially in a counterclockwise direction as viewed in Fig. 1 until the trailing edge of the copy sheet is removed from the photoconductor. At the appropriate time in the cycle, the direction of the drum 50 is reversed to return the copy sheet to the photoconductor with the previously applied image then being on the upper side of the sheet (away from the photoconductor). Then the sheet is transported beneath the second transfer station 44 where a second developed image on the photoconductor is applied to the second side of the copy sheet. The copy sheet with the two images thereon then passes through a fusing station 52 which adheres the developed images to the copy sheet. Note column 4, lines 5-32. A document is scanned on a platen 22 with lamps 24. A charging station 36 charges the photoconductor to receive an image of a light pattern of the document page on platen 22. At an exposing station 38, the light pattern selectively discharges the electrostatic charge to form a latent image on the photoconductor. The photoconductor then passes

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through a developing station 40 where toner particles are applied to the latent electrostatic image to develop the image. Note column 3, line 21- column 4, line 4.

Allowable Subject Matter

Claims 3-8, 12-14, 16, 17-21, 23-27, 29-31, 37, 39, 43-45, 49, and 54-56 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Claims 28, 32-36, 38, 40-42, 46-48, 50, 53, 57, 58, and 60 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 61 is allowed over the prior art of record.


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. DiFrancesco, Reesen, Mahoney et al., Kumagai, Shigeta et al., Haneda, Olbrich et al., Simmons et al., Tamary, Oda et al., Miyamoto et al., Mosehauer et al., Mishina et al. (Japan, 692), Ito (Japan, 071), and O'Brien disclose art in producing duplex copies.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan S. Lee whose telephone number is 703-308-2138. The examiner can normally be reached on Mon. - Fri., 10:30-8:00, Second Monday Off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Art Grimley can be reached on 703-308-1373. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3432 for regular communications and 703-305-3432 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.


Susan S. Lee
Primary Examiner
Art Unit 2852

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March 23, 2003